

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS***DRUGS FOR HUMAN USE**

1827. Misbranding of Figurene. U. S. v. Richard Barrett (The Figurene Co.). Plea of nolo contendere. Fine, \$25. (F. D. C. No. 16537. Sample No. 70128-F.)

INFORMATION FILED: August 27, 1945, Southern District of California, against Richard Barrett, trading as the Figurene Co., Beverly Hills, Calif.

ALLEGED SHIPMENT: On or about June 1, 1944, from the State of California into the State of Utah.

PRODUCT: Analysis disclosed that the product consisted of particles of karaya gum with some small amounts of adherent bark.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading since they represented and created the impression that the article would be efficacious in the acquisition of a figure which men would admire and which women would envy; that the article would help to reduce caloric intake; and that its use would be efficacious to reduce excess weight in cases of individuals overweight for their sex, age, and height, when such condition was caused by other than glandular disturbances. The article would not be efficacious for such purposes.

DISPOSITION: September 10, 1945. A plea of nolo contendere having been entered, the court imposed a fine of \$25.

1828. Misbranding of Sul-Vito Bath. U. S. v. 29 Bottles of Sul-Vito Bath, and 55 circulars. Decree of condemnation and destruction. (F. D. C. No. 16628. Sample No. 27006-H.)

LABEL FILED: June 21, 1945, District of Wyoming.

ALLEGED SHIPMENT: On or about April 7, 1945, by Queen City Supply, Denver, Colo.

PRODUCT: 29 ½-pint bottles of *Sul-Vito Bath* and 55 circulars entitled "Sul-Vito Calcium Poly Sulphide Solution," at Cheyenne, Wyo. Analysis showed that the product consisted essentially of calcium polysulfide and water.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements on the label of the article and in the circulars were false and misleading since they represented and suggested that the addition of the article to the bath water would produce benefit beyond that which may be obtained by bathing in warm water, whereas the addition of the article to the bath water would not produce the benefit so represented and suggested: (Label) "For reducing baths use in conjunction with reducing diets or treatments"; (circulars) "Have you ever traveled to some famous Hot-springs resort, at great expense and inconvenience, to obtain the beneficial and healthful delight only obtained from a series of Hot Sulphur Baths? Sul-Vito now offers many of the beneficial effects obtained at Hot Sulphur Springs—in the comfort and privacy of your own bathroom. Sul-Vito for relief of any non-systemic and nonorganic disturbance. * * * The most important uses of Sulphur are external. When brought in contact with the skin, especially in the presence of alkalies, there occurs a chemical reaction with the formation probably of hydrogen sulfide. The alkaline sulphide thus formed is an active poison to various pathogenic parasites, and sulphur therefore is a useful remedy in such diseases as scabies, ringworm, and favus. Besides this effect, the sulfides by their local stimulating effects tend to overcome congestion in the skin, and they have the power of softening the horny elements. For one of the other effects, sulphur is a valuable remedy in a number of non-parasitic diseases of the skin, especially acne, psoriasis, seborrhea, etc. Sul-Vito can be used for the easing of sore and tired, aching muscles caused by overwork, strain, or colds. Sul-Vito can be used for the relief of arthritic, neuritic, and rheumatic pains and for reducing swollen muscles and joints. Sul-Vito can be used for the soothing of hot, itching, irritated skin caused by some forms of eczema, acne, or ringworms. Sul-Vito can be used for the quieting and soothing of excessive nervousness and aid in producing sound, undisturbed sleep. Sul-Vito can be used for benefiting the evils and discomforts caused by athletes foot, and assist in reducing foot odors. * * * Sul-

*See also Nos. 1801, 1802, 1805-1808, 1810, 1811, 1816, 1817, 1823-1826.